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IMPROVEMENT OF THE SYSTEM OF STATE REGULATION OF NATURE CONSERVATION ACTIVITY IN UKRAINE

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УДОСКОНАЛЕННЯ СИСТЕМИ ДЕРЖАВНОГО РЕГУЛЮВАННЯ ПРИРОДООХОРОННОЇ ДІЯЛЬНОСТІ В УКРАЇНІ

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СОВЕРШЕНСТВОВАНИЕ СИСТЕМЫ ГОСУДАРСТВЕННОГО РЕГУЛИРОВАНИЯ ПРИРОДООХРАННОЙ ДЕЯТЕЛЬНОСТИ В УКРАИНЕ

The article analyzes the functioning and development of the state regulation system of nature conservation activity in Ukraine. The regulatory-legal framework regulating relations in the field of protection and use of territories, objects of the nature reserve fund, reproduction of natural complexes is researched. The main reasons for the greatest environmental impact in Ukraine are: the pollutants emitted into the atmosphere; pollution of surface and groundwater and their sources; problems of land relations and forestry; challenges for man-made emergencies at different levels. Among the environmental problems, the problem of using domestic waste is of considerable importance. The analysis of the status of state management of the nature reserve fund of Ukraine and the possibilities of using the program-target method in territorial planning for solving specific regional problems of the environmental protection sector of the economy have been carried out. The ecological and natural problems of the Chernihiv oblast on the basis of the environmental monitoring system data have been investigated, which allowed accumulating certain experience and a considerable amount of information both on the state of the environment and on the sources of pollution. The main directions of improvement of ecological-economic relations in Ukraine are offered, as well as suggestions on scientific-methodical, analytical, informational and consultative support. It is proposed: to increase the responsibility of local self-government bodies in solving environmental problems; improve management of innovation processes, disseminate environmental management standards; to ensure distribution of responsibility of local authorities. Among the priority tasks are also proposed to include: optimization of the system of accumulation, transportation, storage, utilization of waste; reduction of atmospheric air pollution; improvement of the technogenic and ecological condition of the territory; increasing the number of green plantations; raising the level of environmental education and upbringing.

Key words: management in the field of environmental protection, ecological state; ecological safety, ecological development, ecological education, natural reserve fund; pollutants; program-target method; monitoring system for the environment.

В статті проведено дослідження функціонування та розвитку системи державного регулювання природоохоронної діяльності в Україні. Досліджено нормативно-правове забезпечення, яке регулює відносини в галузі охорони і використання територій, об'єктів природно-заповідного фонду, відтворення природних комплексів. Досліджено основні причини екологічних проблем в Україні, серед яких найвагоміший вплив мають: забруднюючі речовини, які викидаються в атмосферу; забруднення поверхневих і підземних вод та їх джерел; проблеми земельних відносин та лісозабезпечення; виклики щодо техногенних надзвичайних ситуацій на різних рівнях. Серед екологічних проблем значну вагу має проблема використання побутових відходів. Проведено аналіз стану державного управління природно-заповідним фондом України та можливості використання програмно-цільового методу у територіальному плануванні для вирішення конкретних регіональних проблем природоохоронного сектору економіки. Досліджено екологічні та природні проблеми Чернігівської області на основі даних системи моніторингу за станом навколишнього середовища, яка дозволила накопичити певний досвід і значний обсяг інформації як щодо стану навколишнього природного середовища так і щодо джерел забруднення. Запропоновано основні напрямки вдосконалення еколого-економічних відносин в Україні, та пропозиції щодо науково-методичної, аналітичної, інформаційної та консультативної підтримки. Пропонується: підвищити відповідальність органів місцевого самоврядування у вирішенні екологічних проблем; покращити управління інноваційними процесами, поширювати стандарти екологічного менеджменту; забезпечити розподіл відповідальності місцевих органів влади. До числа пріоритетних завдань також запропоновано віднести: оптимізацію системи накопичення, транспортування, зберігання, утилізації відходів; зменшення забруднення атмосферного повітря; поліпшення техногенного та екологічного стану території; збільшення кількості зелених насаджень; підвищення рівня екологічної освіти та виховання.

Ключові слова: управління в галузі охорони навколишнього природного середовища, екологічний стан; екологічна безпека, екологічний розвиток, екологічне виховання, природно-заповідний фонд; забруднюючі речовини; програмно-цільовий метод; система моніторингу за станом навколишнього середовища.

В статье проведено исследование функционирования и развития системы государственного регулирования природоохранной деятельности в Украине. Исследовано нормативно-правовое обеспечение, которое регулирует отношения в области охраны и использования территорий, объектов природно-заповедного фонда, воспроизводства природных комплексов. Исследованы основные причины экологических проблем в Украине, среди которых весомое влияние имеют: загрязняющие вещества, которые выбрасываются в атмосферу; загрязнение поверхностных и подземных вод и их источников; проблемы земельных отношений и лесообеспечения; вызовы относительно техногенных чрезвычайных ситуаций на разных уровнях. Среди экологических проблем значительный вес имеет проблема использования бытовых отходов. Проведен анализ состояния государственного управления природно-заповедным фондом Украины и возможности использования программно-целевого метода в территориальном планировании для решения конкретных региональных проблем природоохранного сектора экономики. Исследованы экологические и природные проблемы Черниговской области на основе данных системы мониторинга за состоянием окружающей среды, которая позволила накопить определенный опыт и значительный объем информации как о состоянии окружающей природной среды так и по источникам загрязнения. Предложены основные направления совершенствования эколого-экономических отношений в Украине, и научно-методической, аналитической, информационной и консультативной поддержки. Предлагается: повысить ответственность органов местного самоуправления в решении экологических проблем; улучшить управление инновационными процессами, распространять стандарты экологического менеджмента; обеспечить распределение ответственности местных органов власти. К числу приоритетных задач также предложено отнести: оптимизацию системы накопления, транспортировки, хранения, утилизации отходов; уменьшение загрязнения атмосферного воздуха; улучшение техногенного и экологического состояния территории; увеличение количества зеленых насаждений; повышение уровня экологического образования и воспитания.

***Ключевые слова:** управление в области охраны окружающей природной среды, экологическое состояние; экологическая безопасность, экологическое развитие, экологическое воспитание, природно-заповедный фонд; загрязняющие вещества; программно-целевой метод, система мониторинга за состоянием окружающей среды.*

Problem statement. Among the various contemporary problems of humanity, the problem of environmental protection and ensuring environmental safety is one of the most important. The future of the world community and future generations depends on results of its solution. Unfortunately, there are complex environmental problems in Ukraine. The environmental situation is showing a tendency to deteriorate. Therefore, there are grounds to argue that the problem of interaction between man and nature has recently become one of the most discussed and causes further special urgency and interest among domestic and foreign scientists. Problems of ecological safety, ecological development, ecological education, environmental protection, rational use of natural resources and many others issues are given a lot of attention in scientific works, in programs of civic organizations and the mass media. The activities of the authorities are also aimed at solving these problems. The main problem in this area is the reform of the current legislation, and improvement of the system of state regulation of nature conservation activity bringing it in line with EU standards and norms.

The activities of public non-governmental organizations, including in the field of nature conservation, are one of the main components of the formation of civil society in Ukraine. Their work deserves attention not only in the area of increasing the effectiveness of the state's environmental policy, but also in terms of the development and deepening of democratic foundations of state-building processes. Active citizenship often becomes crucial for solving environmental problems and is one of the important factors in the effectiveness of civil society.

Analysis of recent research and publications. The significance of the scientific research of environmental issues is confirmed by numerous works by V.B. Averyanov, B.I. Babenko, D. M. Bakhrach, V.Ye. Boreyk, N.P. Bortnik, V. L. Bredikhina, M. T. Gavril'tsev, O. V. Golovkina, S. G. Gritskevich, E. V. Dodin, V. F. Zakharova, V. I. Knysh, I. A. Kuyan, O. Ya. Lazora, Ya. I. Lazarenko, K. Yu. Melnyk, R. V. Mironyuk, A. I. Ostapenko, M. V. Rudenko, K. A. Riabets, S. V. Taranushicha, Ya. M. Tolochko, O. A. Ulyutin, O. M. Khimich, S. V. Sharapova, V. V. Shemchuk, H. P. Yarmaky and others. However, despite the significant achievements of these authors remain poorly studied issues related to improvement of the system of state regulation of nature conservation activity in Ukraine.

Allocation of the unsolved earlier parts of the overall problem. The researches of ecological issues testify the existence of the problem of implementation of an effective system of state regulation of nature conservation activities in Ukraine. Therefore the solving this problem is particularly relevant.

The objectives of the article. The purpose of the study is to research the current state of regulation of nature conservation activities in Ukraine, analyze the relevant normative legal acts and generalization of the practice of their realization, to determine the essence and peculiarities of the supervisory activity in the field of nature protection, the determination of existing problems and the formulation of ways of their solution.

The main results of the study. The relations in the area of the protection and use of the territories and objects of the nature reserve fund, the reproduction of its natural complexes are regulated by the laws of Ukraine "On Environmental Protection" [4], "On the Nature Reserve Fund of Ukraine" [5], the Resolution of the Cabinet of Ministers of Ukraine "On taxes for calculating the amount of damage caused by violation of the legislation on the nature reserve fund of Ukraine" [6] and other acts of the legislation of Ukraine. The aim of the legislation is to regulate social relations in relation to the organization, protection and use of the territory and objects of the nature reserve fund, reproduction of their natural complexes, management in this area. According to the normative legal acts, the main ways of preserving the territories and objects of the nature reserve fund are: the establishment of a protected regime; organization of systematic observations on the condition of protected natural complexes and objects; carrying out complex researches with the purpose of development of scientific bases of their preservation and effective use; compliance with the requirements for the protection of territories and objects of the nature reserve fund; introduction of economic levers to stimulate their protection; implementation of state and public control over observance of the regime of their protection and use; establishment of increased responsibility for violation of the regime of protection and use; wide international cooperation and other activities [8].

The protecting the nature reserve fund also helps to establish security zones on adjacent natural complexes and objects of territories. Their size and regime are determined in accordance with their purpose and nature of economic activity in the adjoining territories. In the designated areas, construction of industrial and other objects and the carrying out economic activity, which could lead to negative influence on the territory and objects of the nature reserve fund, is prohibited. An assessment of such influence is carried out on the basis of an environmental expert examination conducted in accordance with the procedure established by the legislation of Ukraine. Provisions defining the regime of each of the security zones are approved by the state authorities that decide on their allocation [11].

Governance in the field of environmental protection is carried out by the Cabinet of Ministers of Ukraine, local councils and executive bodies of village, town and city councils; state environmental protection bodies and other state bodies in accordance with the legislation of Ukraine. The state authorities in the field of environmental protection and the use of natural resources is a central executive body that ensures the formation of a state policy in the field of environmental protection [10]. Public organizations can participate in the management of the environmental protection industry if such activities are provided for by their charters, registered in accordance with the legislation of Ukraine. The purpose of management in the field of environmental protection is the implementation of legislation, control over compliance with environmental safety requirements, ensuring the implementation of effective and comprehensive measures to protect the environment, rational use of natural resources, to achieve coherence of action of state and public bodies in the field of environmental protection [4].

Protection of natural and biosphere reserves, national natural and regional landscape parks, as well as botanical gardens, dendrological and zoological parks of national importance are carried out by the services that are created within the administration of protected areas of the named categories. The protection of territories and objects of the nature reserve fund of other categories relies on the enterprises, institutions and organizations in charge of which they are located. Bodies of local self-government and their executive bodies not only promote the protection and conservation of territories and objects of the nature reserve fund, but also fulfill the tasks entrusted to them. The State Cadaster of

Territories and Objects of the Natural Reserve Fund of Ukraine plays an important role in this, which is a system of necessary and reliable information on the natural, scientific, legal and other characteristics of the territories and objects that are part of the nature reserve fund. This document is being conducted in order to assess the composition and prospects of the nature reserve fund, the status of territories and its objects, the organization of their protection and effective use, the planning of scientific research, as well as the provision of state bodies, interested enterprises, institutions and organizations relevant information necessary for solving the issues of socio-economic development, placement of productive forces and for other purposes envisaged by the legislation of Ukraine [5].

A special place in the system of organizational and legal measures for the protection of the nature reserve fund is the scientific and economic provision of the organization and functioning of the nature reserve fund. Research work in the territories and objects of the nature reserve fund is carried out with the aim of studying natural processes, ensuring constant monitoring of their changes, environmental forecasting, developing scientific bases of protection, reproduction and use of natural resources and especially valuable objects. The Law "On the Natural Reserve Fund of Ukraine" also provides for such a form of protection of the nature reserve fund, as the reserving of valuable natural heritage sites and objects. In order to prevent the destruction of economic activities of natural territories and objects in valuable for the preservation, their reserving is made prior to the adoption in accordance with the established procedure of decisions on the organization or announcement of territories and objects of the nature reserve fund and allocation of necessary funds for this.

In Ukraine, there is a Law "On the Basic Principles (Strategy) of the State Environmental Policy of Ukraine for the Period up to 2020", which defines the main objectives of the state environmental policy and the task for their achievement [3]. The main causes of environmental problems are: the irrational structure of the economy, in which the most part are occupied by energy-intensive and resource-intensive enterprises and organizations in which the transition to market conditions occurred with negative consequences took place and have destructive influence on the environment; the state of fixed assets of industrial enterprises and transport enterprises; imperfect state management of the environmental protection system, unclear regulation of the use of natural resources, problems with the distribution of environmental and economic functions in state authorities and local self-government; undeveloped civil society in Ukraine; insufficient understanding of the benefits of improving the environment and the need for sustainable development; non-compliance with environmental legislation [2].

Pollutants that are emitted into the atmosphere are a major threat. These include nitrogen oxide, carbon monoxide, dioxide and other compounds of sulfur, dust. There is an increase in exceeding the norms of maximum allowable emissions of pollutants. This is especially true of stationary sources. A large share of such emissions is attributed to road transport. The use of water resources in Ukraine often goes beyond the limits of rationality and productivity, which leads to a gradual reduction of resources that are suitable for use. A large proportion of sources of both surface water and underground water is substantially polluted.

Land in Ukraine is one of the most important resources, but its condition is almost critical. There is an aggravation of problems in land relations, despite attempts to implement an effective land reform. The largest area in Ukraine is occupied by agricultural land. However, the process of land degradation is greatly expanded. The biggest problems with land resources are: erosion (about 57.5 percent), pollution (about 20 percent), floods (about 12 percent). There is a decrease in the content of nutrients in soils, there are losses of humus 0.65 tons per 1 ha during the year.

Forestry of Ukraine makes up more than 15.7% of the territory. Forests are located mainly in the north and west of the country. According to the recommendations of European norms, the most rational is the coverage of 20% of the forest area. In Ukraine, to achieve this percentage, it is necessary to create 2 million hectares of new forests. The total area covered with forest vegetation has increased

from 1961, from 7.1 to 9.5 million hectares (by 33.8%). Relatively average norms for forestry in Ukraine not enough forest resources.

Regarding emergency situations in Ukraine there is a significant risk of their occurrence. Among the enterprises, a significant percentage are organizations, which can cause technogenic emergencies at different levels - at regional, local and specific objects.

Also among the environmental problems is the utilization of domestic waste. Average rates of waste generation are 220-250 kilograms per year per person, and in large cities - 330-380 kilograms per year [9].

Natural reserve fund of Ukraine consists of land and water areas, natural complexes and objects of which have a special nature conservation, scientific, aesthetic, recreational and other value and allocated for the purpose of preservation of the natural diversity of landscapes, the gene pool of animal and plant life, maintenance of the overall ecological balance and providing background monitoring of the environment. In connection with this legislation, the natural reserve fund is protected as a national property, for which a special regime of protection, reproduction and use is established. Ukraine considers this fund as an integral part of the world system of natural territories and objects under special protection [5]. The state administration of the nature reserve fund of Ukraine carries out the Ministry of Ecology and Natural Resources of Ukraine.

The natural reserve fund is protected as a national property, for which a special regime of protection, reproduction and use is established. Ukraine considers this fund as an integral part of the world system of natural and protected areas. Solving the problem of improving the ecological condition of the territory of Ukraine in the first place should start with the introduction of a system of environmental protection measures in those regions where today the ecological situation is the most intense and that have the greatest socioeconomic significance. Ukraine considers this fund as an integral part of the world system of natural territories and objects under special protection. The natural reserve fund of Ukraine includes: natural territories and objects - natural reserves, biosphere reserves, national natural parks, regional landscape parks, nature reserves, natural monuments, nature reserves, artificially created objects - botanical gardens, dendrological parks, zoological parks, park-sights of garden-park art.

One of the widespread approaches to solving specific regional problems of the environmental sector is the programmatic target method in territorial planning. Such programs cover the nature protection complex of a specific territory in order to ensure the protection of the natural environment. To this end, along with the main target tasks in the regional program, it is necessary to provide for the development of infrastructure, rational use of labor, natural and material resources, rational spatial organization of production.

Proceeding from the goals and objectives of the program, the analytical development is carried out, in the process of which determine ways to meet social needs, resources and specify the timing of the tasks. The cycle of these works should begin with an analysis of the environmental state and the study of problems of its solution, the identification of priority tasks and possible ways of their solution. The program takes into account: the state of the environment, the main references to its software solution; the main purpose of the program, its place in the overall system of goals and objectives of society and national economy; system of goals and main tasks of the program; target indicators that reveal the final results of the program implementation; ways to achieve program goals, programmatic measures; organizational and executive structure; data on the resources required to run the program and terms.

The program-target method is directly related to the methods of system analysis that are used to solve socio-economic, environmental and natural problems. Thus, the starting point for programmatic planning is the clear formulation of the objectives of development of environmental activities, based on the analysis of social needs, established trends and achieved level. In relation to individual programs,

these goals should be expressed in terms of standards and targets. The preliminary analysis of the state of solving environmental problems, the long-term environmental forecast and external conditions, and a general assessment of the relevance of the objectives to the resources allow for the specification of the goals and predict the results [1].

The Environmental Protection Program is a practical tool for implementing the strategic tasks in the field of environmental safety in Chernihiv Oblast. In the context of objectively functioning social and economic constraints, the Program's formation was related to the need to select priority tasks by 2020 based on a system of criteria based on a comprehensive assessment of the real situation [7].

The problem of waste management, which is one of the largest pollutants of the environment and negatively affects all its components, is particularly acute in the region. The situation is complicated by the fact that there is a significant gap between the volumes of accumulated waste and the extent of their disposal and use. Waste management directions are distributed as follows: about 740 thousand tons of waste are placed annually on landfills and landfills; about 1 thousand tons of industrial toxic waste of I-III classes of danger are formed - part is utilized on existing plants, others are transferred for disposal at appropriate capacities outside the oblast, a small amount (about 40 tons) is placed on its own disposal facilities (subdivisions of OJSC Ukrnafta); about 150 thousand tons of industrial waste of grade IV of danger (ash, defecate, sludge treatment facilities, etc.) are formed and placed on the territory of enterprises in special facilities.

Among the various types of waste generated in the process of economic activity, the greatest danger to the environment and health of the population are toxic industrial waste containing in its composition physiologically active substances that cause toxic effects. The main problem with regard to the protection and rational use of water resources of the region in recent years remains the issue of pollution of surface water bodies. Most of the treatment facilities that are exploited have already exhausted their material resources. Namely: 70% of their total number does not provide normative wastewater treatment. The degree of wear of plumbing and sewage networks and treatment facilities of communal enterprises of the region makes up from 50 to 80%. In order to solve the problem of wastewater treatment of communal enterprises, it is necessary to carry out works on the reconstruction of existing wastewater treatment plants and cleaning of bio-waste treatment facilities. The indicated works require significant capital investments and time for their implementation. A significant ecological problem of the region is the violation of the hydrological and hydrochemical regime of small rivers. One of the central factors of anthropogenic influence on the river is the inflow of untreated surface runoff from the city territory to them, which leads to blackening channels, pollution of water, violation of the hydrological regime and the technical condition of the rivers.

Environmental problems include atmospheric air pollution by emissions of pollutants from industrial enterprises and motor vehicles. More than 51% of the total emissions of pollutants into the air is attributed to mobile sources of pollution (motor transport, rail and river transport, industrial machinery).

The Chernihiv region has a monitoring system for the environment and has accumulated some experience and a considerable amount of information on the state of the environment and sources of pollution. However, a lot of information is stored on paper and placed in databases that, according to the structure, do not meet the requirements and recommendations of the UN Economic Commission for Europe to establish a European Observing Network and information on the state of the environment; it is not possible to fully use the available data for its implementation. integrated environmental assessment. In addition, most of the information is distinct, of different quality and accuracy, often does not fully reflect the actual state of the natural components of the environment, in some cases it is duplicated or insufficient.

Observation services have a poor material and technical base. Insufficient computerization and automation of observations and processes of processing results requires the creation of a new

generation of information and analytical systems. There is no single scientific and technical basis for monitoring, which concerns, first of all, the problems of creating an ecological distributed data bank, the system for forecasting changes in the state of the environment and a scientifically based assessment of the impact of environmental pollution on the health of the population, and effective managerial decisions making.

Thus, the main guidelines for improving ecological and economic relations are: strengthening local self-government responsibilities in solving environmental problems; improvement of management of innovative processes, improvement of environmentally friendly technologies, dissemination of environmental management standards; ensuring a clear separation responsibility of local authorities in the field of environmental protection. Taking into account the current ecological situation, one can determine the priority tasks for implementation of the basic priorities of improvement of ecological-economic relations: optimization of the system of accumulation, transportation, storage, utilization of waste; reduction of atmospheric air pollution; improvement of the technogenic and ecological condition of the territory; increasing the number of green plantations; raising the level of environmental education and upbringing.

In order to fulfill the above tasks it is necessary: to increase the volume of harvesting, utilization and use of waste as a secondary raw material; to introduce the latest technologies of solid household waste utilization; to introduce a system of safe handling of hazardous waste; to optimize the transport movement at the expense of environmentally friendly modes of transport; to increase the share of alternative energy sources; to determinate of target values of the contents of hazardous substances for the purpose of choosing technological processes. As for the technogenic state it is necessary: creation of favorable conditions for vital activity of the population; creation of a management system for a complex green area of territories; the introduction of humane ways of keeping and reducing the number of homeless animals. Increasing the level of environmental education is associated with the creation of environmental education centers; increase of personnel training. It is also necessary to develop an effective environmental policy at the level of regions and cities, based on the achievements of recent scientific research and principles of public-private partnership.

In order to effectively implement environmental protection programs, appropriate scientific and methodological support and analytical, information and advisory support should be provided. To achieve this, in order to increase the efficiency of the use of natural resource potential, it is expedient to enter into agreements on cooperation with scientific institutions. Implementation of the programs requires carrying out of scientific works concerning: development of plans of actions on environmental protection; assessing the environmental impact on the health of the inhabitants; forecasting of the activation of dangerous processes and protection of territories, introduction of ecological management; development and implementation of projects on wastewater and emissions into the atmosphere, minimizing the flow of toxic compounds; introduction of environmentally safe low-waste technologies; processing of new technologies of resource conservation; conducting of trainings with the purpose of training of managers and informing the public.

Management functions within the framework of environmental protection programs are: introduction of the economic mechanism of nature use; implementation of state control over observance of environmental legislation; conducting state ecological expertise; conducting of local and object environmental monitoring; providing regular periodic information for the population, interested enterprises and organizations on the state of the environment.

Conclusions and suggestions. The analysis of the functioning of the system of state regulation of nature conservation activity in Ukraine suggests that, despite some positive trends in changes in the state of the environment, there are problematic issues that negatively affect the ecological state of the country. The problem of waste management is particularly acute - there is a significant gap between the volumes of accumulated waste and the extent of their disposal and use. One of the main problems

remains the issue of pollution of surface water bodies. Significant environmental problems are the violation of the hydrological and hydrochemical regime of small rivers and pollution of atmospheric air emissions of pollutants from industrial enterprises and vehicles. There is an aggravation of problems of land relations, forestry, there is a significant risk of emergencies, there are certain problems with the management of the nature reserve fund of Ukraine. To solve existing problems, a program-target method is proposed. For its application, along with the main target tasks in the program, it is necessary to provide for the development of infrastructure, rational use of labor, natural and material resources, rational spatial organization of production. In order to improve ecological and economic relations in Ukraine it is proposed: to increase the responsibility of local self-government bodies in solving environmental problems; to improve the management of innovation processes, to extend the standards of environmental management; to ensure distribution of responsibility of local authorities. Also among the priority tasks should be: optimization of the system of accumulation, transportation, storage, utilization of waste; reduction of atmospheric air pollution; improvement of the technogenic and ecological condition of the territory; increasing the number of green plantations; raising the level of environmental education and upbringing.

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